

CITY OF HORSESHOE BAY

CITY COUNCIL PUBLIC MEETING

February 17, 2009

The Council of the City of Horseshoe Bay held a Public Meeting at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, February 17, 2009, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor
James E. Babcock, Mayor Pro Tem
John Bird, Alderman
Claudia Haydon, Alderwoman
Jeff Robinson, Alderman
Steve Spence, Alderman

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present.
2. Invocation: Pete Christy, Senior Pastor of the Church at Horseshoe Bay led the invocation.
3. Pledges to the Flags: Mayor Lambert led the pledge of allegiance to the United States flag and the Texas flag. He welcomed everyone to the meeting and asked that anyone who wanted to make comments please sign the sheet on the podium.
4. Public Comments (those speaking are asked to limit their comments to three minutes): There were no public comments.
5. Introduction of New Police Officer: Police Chief Bill Lane introduced Jack Schumacher and welcomed him to Horseshoe Bay.
6. Broadband Update: Alderman Jeff Robinson said they had been working on this for a couple of years and now feel the quickest solution is to assist and encourage the current providers to provide new technology service to the City. There are plans to install a new tower that will make a new technology available. He added the other effort is to work with Senator Troy Fraser to try and get Verizon to upgrade their level of service here. He encouraged citizens to contact Senator Fraser and voice their concerns regarding this issue.
7. Items to be Removed from Consent Agenda: Mayor Lambert asked if there were any items the Council wanted to remove from the Consent Agenda. Alderwoman Haydon asked to remove item 8d.

8d. Ordinance Amendment to Building Permit Ordinance 06-04-18D to Prohibit Temporary Dumpsters that are Manufactured or Put Together On-Site

Alderwoman Haydon feels this item needs to be more specific regarding the type of dumpsters allowed. After some discussion, the decision was made to remove this item and do further work prior to placing it on next month's agenda for further consideration.

8. Consent Agenda Items:

- a. Minutes of the January 20, 2009 Public Meeting
- b. Final Plats:
 - i. Replat of Lot Nos. 47-B through 56-C of Escondido, Plat No. 1.16, to be known as Escondido, Plat No. 1.17, Horseshoe Bay, Llano County, Texas (Encantada)
 - ii. Replat of Lot No. 12038-A Horseshoe Bay, Plat No. 12.20, and 0.02 Acres out of the Nicholas Mendez Survey Abstract No. 506, to be known as Plat No. 12.38 Horseshoe Bay, Llano County, Texas (400 Block Lighthouse Dr.)
 - iii. Replat of Lot Nos. 11-B and 12-A, Applehead Island Plat No. 7.13A to be known as Applehead Island, Plat No. 7.13-B, Llano County, Texas (12 Applehead Island Drive)
- c. Extension of Interlocal Agreement with Llano County for OSSF Services in the City
- e. Authorization for a \$100 Memorial Contribution to the Rotary Foundation in Memory of Ralph E. Herter
- f. Resolution Expressing Support for Funding of the Texas Tech University Hill Country Educational Network and the TTU Center at Junction
- g. Budget Amendment Transferring Unused Funds from Utility Capital Project (Purchase of Used Dump Truck) to be used for Installation of Water Meter at the Interconnection of the Central and West Water Systems
- h. Ordinance to Prevent Grease and Oil Contamination in Sewer System

Alderman Bird made the motion to approve the remainder of the Consent Agenda. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

9. Monthly Statistical Departmental Data Reports:

- a. City Manager; Administration; Community Services; Development Services; Fire Department; Police Department

City Manager, Stan Farmer said last month Alderman Spence requested a simple financial summary sheet be presented at the Council meeting each month. Alderman Spence asked if the City can tap into the Economic Recovery Package. Mr. Farmer said it is always worth testing. The City has not received any specific information regarding this yet but will look into it further.

Mr. Farmer said the Energy Reduction Initiative Proposal committee has been meeting and is in the process of getting a quote on new lighting for the Council chambers and will be bringing a proposal to the Council next month for capital expenditures.

Alderman Robinson said he really liked the Departmental Goals that Mr. Farmer and his staff put together.

10. Conduct a Public Hearing and Consideration Regarding Ordinance to Extend the Moratorium on New Construction in Zone 13 and Tract BBB-2A of Zone 14: Mayor Lambert convened the Public Hearing at 3:21 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. He stated these properties have been under a moratorium for about the last three years and the property owners requested the extension. Alderman Robinson made the motion to approve the ordinance. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0).
11. Conduct a Public Hearing and Consideration Regarding Ordinance for On-Site Sewer Inspection by City: Mayor Lambert convened the Public Hearing at 3:23 p.m. He asked if there were any comments. He said this is simply to continue a process to transfer these responsibilities to the City from Llano County, who has been doing these inspections for us. There are a few septic systems in Horseshoe Bay and these require inspection any time the property changes ownership or a home is planned on property without wastewater service. Alderwoman Haydon made the motion to approve the ordinance. The motion was seconded by Alderman Robinson. The motion passes unanimously (5-0).
12. The City Council, meeting as the Board of Adjustment, will Conduct a Public Hearing and Possible Action Regarding:
 - a. Variance from Section 3.2.1 (e) of the Zoning Ordinance to Allow a Maximum 16 Foot Encroachment into the 25 Foot Front Yard Setback for a 5 Foot High Stone Wall on Lot No. 41040, Horseshoe Bay Plat No. 41.1 (115 Dalton Circle)
 - b. Variance from Section 3.2.1 (e) of the Zoning Ordinance to Allow a Maximum 17 ½ Foot Encroachment into the 25 Foot Front Yard Setback for a 6 Foot High Wrought Iron Fence with Gate across the Driveway (211 Cross Bow)

Mayor Lambert said the City Council will now meet as a Board of Adjustment. He then convened the Public Hearing at 3:25 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Alderman Robinson made the motion to approve the variances. The motion was seconded by Alderman Spence. The motion passed unanimously (5-0).

13. Conduct a Public Hearing and Consideration of Preliminary Plats:
 - a. Replat of Lot No. C32001-A, Horseshoe Bay Plat No. 32.4, to be known as Horseshoe Bay Plat No. 32.5, Horseshoe Bay, Llano County, Texas (Village Square at Hi Circle South and 15th Green Drive)
 - b. Replat of Lot Nos. W25030 and W25031, Horseshoe Bay Plat No. 25.1, to be known as Horseshoe Bay West Plat No. 25.8 (211 Big Sky)

Mayor Lambert convened the Public Hearing at 3:27 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Alderman Spence made the motion to approve Item 13a. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0). Alderwoman Haydon made the motion to approve Item 13b. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

14. Consideration of Preliminary Plat of The Enclave Subdivision Phase I, a 29 lot subdivision in Horseshoe Bay, Llano County, Texas (The Enclave Condominiums and Adjacent Property – 250 Bay West Blvd.): Mayor Lambert said this item is to change the legal structure from condominiums to townhomes where there is single ownership of a specific house and related land in order to make it possible to obtain financing. Alderwoman Haydon made the motion to approve the preliminary plat. The motion was seconded by Alderman Babcock. The motion passed unanimously (5-0).
15. Conduct a Public Hearing Regarding an Amendment to Zoning Ordinance 07-9-18E Section 3.6.2 (e) to Add Zone 3 Horseshoe Bay West to the Section Titled Minimum Dwelling Unit Size: Mayor Lambert convened the Public Hearing at 3:38 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. This item is to correct a drafting problem that was discovered in the zoning ordinance. Alderman Babcock made the motion to approve the ordinance. The motion was seconded by Alderman Spence. The motion passes unanimously (5-0).
16. Conduct a Public Hearing Regarding an Amendment to Zoning Ordinance for the Planned Development Ordinance for Village Square (Hi Circle South and 15th Green Drive) – For Discussion Only: Mayor Lambert convened the Public Hearing at 3:39 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Development Services Manager Eric Winter stated this item is for discussion only today. Mayor Lambert asked that the architect Marley Porter put a rendition of the concept plan, showing the elevations, in the Beacon within the next couple of weeks in order for the community to review and provide comments. Mayor Lambert said that Alderman Babcock worked with him and City staff on the previous development plan for this property and he would like them to review this new proposal with City staff also.
20. City/POA, City/Amenities Owner and City/Declarant Agreements Regarding City Streets: Mayor Lambert said he would prefer to discuss this item before Item 17. He stated the Council held a workshop this morning regarding the streets. It was attended by most of the Board of Directors of the Horseshoe Bay Property Owners' Association as well as a representative of the Amenities Owner. He said they collectively agreed to pursue amendment to the Easement, Covenant and Declaration of Reservations as well as possible condemnation of the streets by the City. They feel this can be evaluated within two or three weeks and another workshop can be held March 17, 2009 at 10:00 a.m. Mayor Lambert added City Attorney Monte Akers advised that since the transfer of ownership on the streets probably may not be accomplished by May an election for a sales tax dedicated to the streets should not be called for May 9, 2009.
17. Call May Special Election for Home Rule Charter and Sales Tax Election: Mayor Lambert stated the Sales Tax Election portion of this item needs to be deleted. Alderwoman Haydon made the motion to approve calling the May Special Election for the Home Rule Charter only. The motion was seconded by Alderman Spence. The motion passed unanimously (5-0).
18. Joint Election Agreement with Llano County for May 9, 2009 Election: Mayor Lambert said this is an election agreement with Llano county to conduct the election for citizens in both

